

CITY OF CHESTERMERE

PROVINCE OF ALBERTA

BYLAW #011-19

A Bylaw of the City of Chestermere, in the Province of Alberta, to divide assessment class 1 – Residential Property and assessment class 2 - Non-residential Property into sub-classes for the purpose of its 2019 and subsequent taxation years;

WHEREAS pursuant to section 297 of the Municipal Government Act, RSA 2000, c. M-26, Council may pass a bylaw to divide class 1 – Residential Property and class 2 – Non-residential Property into sub-classes;

AND WHEREAS Council of the City of Chestermere, in the Province of Alberta, desires to divide class 1 – Residential Property and class 2 – Non-residential Property into sub-classes;

NOW THEREFORE The Municipal Council of the City of Chestermere, Alberta duly assembled, hereby enacts as follows:

1. Title

(1) This bylaw may be cited as the “Division of Assessment Class 1 – Residential Property and Assessment Class 2 - Non-residential Property into Sub-classes”

2. Definitions

In this bylaw:

- (a) “Act” means the *Municipal Government Act*, RSA 2000, c. M-26;
- (b) “Assessor” means any of the accredited assessment personnel employed or hired by the City of Chestermere;
- (c) “Non-residential” has the same meaning as in Section 297(4)(b) of the Act;
- (d) “Principal Building” has the same meaning as in the City of Chestermere Land Use Bylaw No. 022-10, as amended from time to time;
- (e) “Property” has the same meaning as in Section 284(1)(r) of the Act;
- (f) “Registered” means a plan of subdivision has been registered at the Land Titles Office with respect to Property and a new certificate of title has been issued by the registrar of Lands Titles in accordance with the plan of subdivision;
- (g) “Residential” has the same meaning as in Section 297(4)(c) of the Act;

(h) “*serviced*” means the availability of services such as potable water, sewer or both, but does not include electrical or natural gas connections, adjacent to one of the boundaries of the property or land.

3. Application

- (1) Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or license.
- (2) Any heading, sub-headings, or tables of contents in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- (3) Where this Bylaw refers to another Act, bylaw, regulation or agency, it includes reference to any Act, bylaw, regulation or agency that may be substituted therefore.
- (4) All the schedules attached to this Bylaw shall form a part of this Bylaw.
- (5) This bylaw is gender-neutral and, accordingly, any reference to one gender includes the other.

4. Terms and Conditions

- (1) For the purpose of Residential Assessment Class, Property within the City of Chestermere is hereby divided into the following assessment sub-classes:
 - a. Residential Assessment Class Property:
 - i. Vacant Residential;
 - ii. Improved Residential.
- (2) For the purpose of Non-residential Assessment Class, Property within the City of Chestermere is hereby divided into the following assessment sub-classes:
 - a. Non-residential Assessment Class Property:
 - i. Vacant Non-residential;
 - ii. Improved Non-residential.

5. Responsibilities

- (1) That the Assessor is authorized to create and establish Residential property assessment sub-classes categorized as “Vacant Residential” and “Improved Residential”.

- (2) That the Assessor is authorized to create and establish Non-residential property assessment sub-classes categorized as "Vacant Non-residential" and "Improved Non-residential".
- (3) That the Assessor shall include all properties in the category of "Vacant Residential" that meet all of the following conditions:
 - a. The land is serviced,
 - b. There is no principal building, and
 - c. Residential property(s) has been Registered for three (3) or more years.
- (4) That the Assessor shall include all properties in the category of "Vacant Non-residential" that meet all of the following conditions:
 - a. The land is serviced
 - b. There is no principal building, and
 - c. Non-residential property(s) has been Registered for three (3) or more years.
- (5) That the Assessor shall abide by the responsibilities, standards, and criteria as contained within this bylaw in the annual establishment of which properties shall be deemed included within the Residential property sub-class categorized as "Vacant Residential" and which properties shall be deemed included with the Non-residential property sub-class categorized as "Vacant Non-residential".

6. Severability

- (1) If any Section or parts of this Bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

7. General


- (1) This bylaw shall take effect on the day which it is finally passed.

READ A FIRST TIME this 15th day of October 2019

READ A SECOND TIME this 15th day of October 2019

READ A THIRD TIME this 15th day of October. 2019

Resolution Numbers –
425-19 / 426-19 / 427-19 / 428-19



MAYOR



CAO